

Collier County, demonstrates her character and profound love for her country. Throughout her distinguished career and service, she has educated, motivated, engaged, and empowered other women and American Hispanics. She has inspired others to become leaders in politics and civic engagement. Yvette is a grassroots leader and conservative activist whose impact extends through Southwest Florida and beyond. Somehow, in addition to Yvette's work, she finds the time to play tennis, ballroom dance, and spend time with her husband, two sons, and their loyal golden retrievers Rocky and Lucky.

Mr. Speaker, as a lifelong public servant and true patriot, Yvette has proven time and time again her unwavering commitment to the community. It is a privilege to honor her today, and to thank her for her dedication, hard work, and service on behalf of our community and country.

LOWER ENERGY COSTS ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2023

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1) to lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes:

Ms. JACKSON LEE. Mr. Chair, I am here today to voice my strong opposition to H.R. 1—because it will not and never could lower energy costs, and it is not taking the long view of where this Nation must go to reach true energy independence.

Too often when policy makers talk about energy there are too many sound bites and not enough balanced common-sense approaches to our Nation's energy future.

The economy and energy consumption are critically linked to each other because economic activity requires energy consumption.

We all know that the booming economy under President Biden has led to energy demand increases and that the war in Ukraine although far from our shores has impacted global energy supply and as a consequence the price of energy.

President Biden took decisive action that has led to the sixth consecutive month of reductions in inflation across the entire economy and includes prices at gas pumps.

Democrats who took decisive action in the 117th Congress to take control of United States' energy future made major investments in renewable energy that is creating jobs, lowering the cost of energy and putting American consumers first.

The oil and gas industries fueled the economic growth and global success of the United States in the last century and without a doubt bolstered the economy that created the largest middle class in our Nation's history.

Oil and gas today and into the near future will continue to play an important role in the

Nation's strategic and economic interest well into this century.

It is important to note that some of the big wins from the Inflation Reduction Law will be the oil and gas industries, which has made significant investments in renewable energy already.

It is a simple fact that the owners and operators of the energy delivery infrastructure in the United States—the pipelines, electric power grids, and gasoline distribution hubs that supply energy to an overwhelming majority of homes and businesses in the United States is not going to change anytime soon.

The Inflation Reduction Law included multiple oil and gas leasing reforms to reflect today's pursuit of offshore oil and gas exploration while at the same time incentivizing the pursuit of wind and solar by the oil and gas industry.

The Inflation Reduction Law will issue in the Energy Age that will bridge the gap between the old and the new forms of energy that will continue to fuel the American economy.

This is not nor should it be viewed as a war against the old and new forms of energy but a bridge that will allow a smooth transition to the many facets of energy provision that will mean prosperity and jobs, while providing low-cost affordable energy for all people.

My greatest concern is that H.R. 1, if it becomes law, would roll back, important reforms by lowering royalty rates, repealing interest fees, and reinstating noncompetitive leasing.

H.R. 1 rubber-stamps the construction of new natural gas pipelines—which is already frighteningly easy—while shutting every agency, apart from the Federal Energy Regulatory Commission, out of the review process.

Natural gas is a viable and important component of energy security for the United States, but its extraction, processing, and delivery to consumers does come with risks.

Natural gas in its raw form is odorless and colorless—an odor is added so that people can detect its presence and respond to the threat before it is too late.

It is important that safeguards remain in place regarding exploration to protect gas field workers and people who may be in the vicinity of exploration activities.

H.R. 1, also poses risks to the United States strategic interest because it removes the requirement that Liquefied Natural Gas (LNG) exports be determined to be in the public interest before being sent overseas, tearing down guardrails that prevent our adversaries from purchasing more of our energy to use against us.

H.R. 1 poses risks to our national parks and public treasures because it would bypass the local and public interest in national lands by allowing oil and gas lease sales even if there is no national interest to support approval of the sale of mineral leases on these lands.

The sale of leases on land that is owned by the American people should solely be in the interest of the people of the United States and this can be determined by identifying that there are no nonpublic sources of oil and gas to meet demand.

The Nation is on the road toward a smooth transition to other forms of energy to complement its use of oil and gas that will result in a balance of energy options for a more stable, more affordable, and reliable energy supply.

The Nation's current mining law is over 150 years old and does need updating, but it

should be done so with all stakeholders at the table with a win-win approach.

H.R. 1 makes this dangerous status quo worse.

H.R. 1 allows mining on public land and the dumping of toxic mining waste as the “highest and best use” of those lands, which means the lands will not be suitable for a return to public use without a significant investment by taxpayers to cleanup and restore it to a natural state.

I am not saying that all mining or exploration companies will follow the letter of the law—in H.R. 1 should it become law, but if only a few mining leases leave mining waste on public land and are so reckless as to not restore land to its original state the damage would be significant.

H.R. 1 would also allow extraction of valuable minerals without paying the owners of the land—the American people in strict violation of every principle of oil and gas leasing.

Private property owners who lease for oil and gas exploration expect to be compensated for the lease of their land—the American taxpayer should not expect any less from the lease of their public land held by the Federal government.

Letting mining companies continue to extract valuable minerals from public lands without paying anything to the American people is establishing a dangerous precedent for private landowners with minerals, oil, or gas—one that I am sure the people in Texas, Alaska and other high exploration states would take offense over.

To date, mining companies—many of which are foreign-owned—have already extracted an estimated \$300 billion in minerals from public lands and caused untold damage, without paying a single dime to American taxpayers.

H.R. 1 does nothing to improve tribal consultation, even though the vast majority of minerals needed for clean energy are located within 35 miles of tribal lands.

The Nation is in the process of transitioning from primary relying on oil and as a source of energy to alternative sources.

The transition from fossil fuels to low-carbon energy sources will depend heavily on the adoption of critical minerals.

Our Nation's clean energy transition will require new minerals, but mining must not come at the cost of our health, our environment, or our special places.

I am very committed to—making sure that the emergence and adoption of new energy sources does not leave environmental victims along the way.

I am aware of one company, Critical Mineral Refining (CMR) of Houston Texas, that has made environmentally sound extraction, transporting and mining of critical minerals its core mission.

CMR's process has been certified by the Environmental Protection Agency as environmentally neutral technology—which means that there is no harm to the water, soil, or air.

Today, as we work to bring new forms of energy to the marketplace and because there are technologies that are cleaner and safer to conduct energy extraction, transportation, and refining these approaches should be adopted as industry standards.

The application of this knowledge to critical minerals will prevent sickness, accidents, and deaths due to antiquated approaches to mining and refining being applied to rare earth

minerals that are needed in solar and wind energy production.

The extraction, transport, and refining of critical minerals could increase sixfold by 2050, according to one scenario by the International Energy Agency.

Industries, consumers, and the nation needs to prepare for the boom that is coming from the emergence of critical minerals into the marketplace.

By value this market could surpass \$400 billion, exceeding the value of all of the coal extracted in 2020.

We must reform our outdated mining system to raise the bar for mining both in the U.S. and across the globe in preparation for this new entrant into the energy marketplace.

Helping critical minerals emerge and guarding its orderly introduction into our commercial sectors is a major objective of the United States to minimize externalities that often accompany extraction-based enterprises that too often rely upon complex global supply chains.

The city of Houston—through Hurricane Harvey's flood waters, Winter Storm Uri's electric grid failures, and other climatic events has experienced the early effects of the climate crisis.

Critical infrastructure like the electric grid and water systems must be resilient enough to withstand extreme weather events.

This is only the beginning, but it is not too late to get the nation and the economy on the right track to combat the most potent threat to our national economy—climate related weather changes.

Climate related weather change cost the U.S. \$169.8 billion last year—a \$14 billion increase from 2021 and a \$55 billion increase from 2020.

All the data shows us that the climate crisis is worsening.

If Republicans cared about the economy as much as they claim, they would invest in science-based, clean energy solutions.

Rolling back of the IRA will have severe consequences, costing the U.S. trillions in economic growth and hundreds of thousands of dollars in jobs.

Climate related weather change is the culprit of natural disasters across the U.S. that have killed nearly 3,800 people and caused significant structural damage. In 2022, U.S. wildfires caused by extreme drought and rising temperatures burned a record number of acres and surpassed the 10-year average.

Last week, a new UN report found that the world will be unable to limit global warming by 1.5 degrees Celsius by the early 2030's. The report also found that global average temperatures could warm by 3.2 degrees Celsius by the end of the century causing seven feet of sea level rise by the end of the century.

Clean energy, joining the contribution of legacy energy sources, is the future for our work-

force sector. Despite fossil fuel production rising by 33 percent since 2014, employment in the fossil fuel industry has declined 34 percent since 2014. Through the Bipartisan Infrastructure Law, House Democrats are creating nearly 360,000 jobs by the end of this year and 660,000 jobs by the end of 2025.

H.R. 1 masquerades as "energy security" when in reality it only sets the stage for actions by less responsible oil and gas energy providers to put at risk communities that may face higher risks for chemical disasters, more toxic air, more unsafe drinking water, and substantially weaker environmental and public health protections.

The bill also blocks lawsuits from anyone who did not participate in public comment periods (which are also shortened by the bill).

H.R. 1 is drafted so broadly that it exempts all so-called "critical energy resource" facilities—such as petroleum refineries that release air toxics like benzene and use hydrofluoric acid linked to catastrophic chemical disasters—from commonsense Clean Air Act and hazardous waste permitting requirements.

It also shamelessly grants these facilities amnesty for any violations of federal, state, or local environmental law.

H.R. 1 completely erodes the new chemicals review process under the bipartisan Toxic Substances Control Act (TSCA), allowing new chemicals—even PFAS—on the market without any consideration of safety.

Chemicals in the wrong hands can be weapons that are used to wreak havoc in unsuspecting communities, which can pose threats to homeland security.

Because of these concerns both Republicans and Democrats joined efforts to pass the bipartisan basis in the 2016 TSCA reform law.

The only "permitting reform" in H.R. 1 is the gutting of the National Environmental Policy Act (NEPA), a bulwark within federal law governing agency regulations of activities that directly impact people to provide meaningful oversight of processes that pose risks to life, health, safety, community welfare and vulnerable persons that include children, the elderly, the disabled and minorities.

As industry representatives have already said, this attack on NEPA will not help accelerate the energy projects we need; less than 1 percent of projects even go through NEPA's full, detailed environmental review.

One important point to note to people on both sides of the debate—major oil and gas producers do not hate all regulations—they depend on regulations to keep bad actors and poor command and control processes from putting the environment or communities at risk.

Every time there is an accident involving oil, gas, or chemical processes it puts every company and refiner under the spotlight regardless

of the work that has been done and continues to be done to get the job right for the environment, workers, and communities.

H.R. 1 weakens enforcement of nearly all environmental and public health laws by dramatically limiting the statute of limitations for unlawful permit decisions—like those required by the Clean Air Act or Clean Water Act—to 120 days.

Limiting public comment is stopping communities from learning about and communicating their views on government permitting activity—that would like result in actions not in the public interest.

Federal regulatory process delays are caused by a lack of agency resources and staff capacity.

Fortunately, Democrats already passed more than \$1 billion in the IRA for federal agency permitting offices, which will address this issue and is expected to drastically shrink the timelines for permitting.

H.R. 1 codifies the reckless, extreme Trump-era NEPA regulations, which were widely opposed by House Democrats, into law.

These changes prohibit agencies from properly considering climate change and the cumulative impacts of multiple sources of pollution in permitting decisions, among other bad provisions.

H.R. 1 arbitrarily shortens public comment periods for environmental reviews under NEPA and even allows polluters to conduct their own reviews, creating an obvious conflict of interest.

It also requires that these reviews "meet the goals of the [project] applicant," instead of the public's interest.

Outside of NEPA, H.R. 1 allows the owners and operators of "critical energy recourse facilities" to bypass public health and environmental safety standards built into the permitting process, directly endangering the safety of the workers and communities near these facilities.

H.R. 1 also undermines Section 401 of the Clean Water Act, which empowers states and Tribes to holistically protect their lakes, rivers, streams, and other bodies of water from development.

Native people have and continue to be guardian of the land, water, and air whose rights on tribal land must be respected.

Energy independence is within our grasp—and so is cleaner, water, air, and soil.

We should not treat the environment or people as if they are expendable.

To meet this challenge of energy independence, we must stay the course of the Inflation Reduction Law and move ahead in modernizing and increasing the capacity of federal permitting offices, and reform the transmission planning and cost allocation process.